

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held December 1, 2014 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Assistant to the Supervisor, to wit:

Claim No. 38095 to Claim No. 38306 Inclusive

Total amount hereby authorized to be paid: \$1,725,504.44

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:
(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
23526		Marrano/Marc Equity	5 Jonquille Ct	Er. Dwlg.-Sin.	
23527		Marrano/Marc Equity Corp	13 Pear Tree Ln	Er. Dwlg.-Sin.	
23528		Douglas & Tonya Bradford	44 Christen Ct	Er. Shed	(V/L)
23529		John J Ostrowski	55 Gordon Ave	Er. Fence	(V/L)
23530		Jeffrey Derkovitz	6 Grace Way	Er. Fence	
23531		Todd Erection Corp	5380 Genesee St	Dem. Comm. Bldg.	
23532		Todd Erection Corp	5380 Genesee St	Remove Tank(s)	
23533		RJF Development JV	672 Pleasant View Dr	Er. Dwlg.-Sin.	
23534		DR. Chamberlain Corp	4304 Walden Ave	Er. Comm. Add./Alt.	
23535		Stockmohr Co Inc.	283 Enchanted Forest N	Re-Roof	
23536		Stockmohr Co Inc.	10 Newell Ave	Re-Roof	(V/L)
23537		John & Cheryl Wood	134 Central Ave	Re-Roof	(V/L)
23538		Fairway Hills Development	21 Pear Tree Ln	Er. Dwlg.-Sin.	
23539		Franks Commercial & Home	51 Irwinwood Rd	Er. Res. Alt.	(V/L)
23540		City Fence Inc	28 Stone Hedge Dr	Er. Fence	
23541		David Blakeley	70 Burwell Ave	Er. Res. Add.	(V/L)
23542		Leanne Nava	188 Laverack Ave	Er. Shed	(V/L)
23543		House Crafters LLC	57 Sussex Ln	Re-Roof	
23544		Jacqueline Kocz	18 Worthington Ln	Inst. Generator	
23545		Tri-Town Construction Inc.	7 Newell Ave	Re-Roof	(V/L)
23546		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23547		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23548		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23549		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23550		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23551		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23552		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23553		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23554		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23555		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23556		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23557		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23558		Richard & Karen Roncone	110 Pavement Rd	Re-Roof	
23559		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23560		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23561		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23562		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23563		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23564		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23565		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23567		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23568		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23569		Juniper Boulevard LLC	501 Juniper Blvd	Er. Res. Apartment	
23570		Donald & Sharon Mackowiak	1186 Penora St	Re-Roof	
23571		Steven Saporito	35E Drullard Ave	Re-Roof	(V/L)
23572		Steven Saporito	47E Drullard Ave	Re-Roof	(V/L)
23573		Steven Saporito	39E Drullard Ave	Re-Roof	(V/L)
23574		Steven Saporito	43E Drullard Ave	Re-Roof	(V/L)

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM , WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, Advantage Trucks.com LLC, 933 Ransom Road, Lancaster, New York 14086 has applied for a renewal license to conduct a salvage yard on premises situate at 933 Ransom Road within the Town of Lancaster, pursuant to Chapter 4-3 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Town Board for review, and

WHEREAS, the Building Inspector, by letter dated December 1, 2014, has notified the Town Board that he has completed his review and made a favorable recommendation thereto.

NOW, THEREFORE, BE IT

RESOLVED, that Advantage Trucks.com LLC, 933 Ransom Road, Lancaster, New York be and is hereby authorized to conduct a salvage yard on premises situate at 933 Ransom Road, Lancaster, New York for the period January 1, 2015 to December 31, 2015 in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED BY
SUPERVISOR FUDOLI, WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, the Town of Lancaster operates the Town of Lancaster Fire Dispatch Service through the Lancaster Town Police Base Station, and

WHEREAS, the Town and Village of Alden and the Town of Lancaster have heretofore entered into a Joint Service Agreement for fire dispatch services to be provided to the Town and Village of Alden, pursuant to §119-o of the General Municipal Law of the State of New York, which is set to expire according to its terms at the end of the 2014 calendar year, and

WHEREAS, the Town of Lancaster provides dispatch services to the various fire departments which serve the Town of Lancaster, to wit: Bowmansville Volunteer Fire Association, Millgrove Volunteer Fire Department, Town Line Volunteer Fire Department and Twin District Volunteer Fire Company, and desires to continue the cooperative effort to provide dispatch services for the Town and Village of Alden, and

WHEREAS, the Town Board has reviewed the renewal Joint Services Agreement between the Town of Lancaster, Town of Alden and Village of Alden as signatory parties, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to renew this Joint Service Agreement for a five (5) Year period:

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster is hereby authorized and directed to execute the renewal of the Joint Service Agreement for Fire Dispatch Services for a period of five (5) years commencing January 1, 2015 and terminating December 31, 2019, whereby the Town of Lancaster will provide fire dispatch services to the Town of Alden and the Village of Alden for consideration in the amount of \$30,500.00 for the first year and for an additional \$500.00 per year for subsequent years remaining on the contract.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, a Public Hearing was held on December 1, 2014 for the purpose of amending Chapter 46 -Vehicle and Traffic Ordinance of the Code of the Town of Lancaster and persons for and against such amendment have had an opportunity to be heard,

WHEREAS, a Notice of said Public Hearing was duly published and posted

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on December 15, 2014;
3. That a Certified Copy thereof be published in the Lancaster Bee on December 18, 2014;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board:
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

**CHAPTER 46
ARTICLE VIII -Stop Intersections; Non-Intersection Stops; Yield intersections**

46-8.1 **Stop Intersections designated, is hereby amended by adding thereto the following:**

Summerfield Farms Subdivision

STREET NAME	INTERSECTING STREET	SIGN LOCATION
Pear Tree Lane	Crabapple Lane	S.E. Corner
Crabapple Lane	Pear Tree Lane	N.W. Corner

December 15, 2014

STATE OF NEW YORK :
COUNTY OF ERIE :
OF LANCASTER :

THIS IS TO CERTIFY that I, **JOHANNA M. COLEMAN**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 15th day of December 2014 and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 15th day of December, 2014.

Johanna M. Coleman, Town Clerk
December 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town of Lancaster has heretofore provided a Congregate Dining Program Site for the Elderly, and

WHEREAS, it is necessary to execute an Agreement between the Town of Lancaster and the County of Erie for the continuance of this program in 2015;

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1. That the Supervisor be and is hereby authorized to execute an Agreement between the Town of Lancaster and the County of Erie for the operation of a Congregate Dining Site located at 100 Oxford Place, Lancaster, New York for the Elderly for the year 2015, and

2. That the Director of Administration and Finance be and is hereby authorized to sign vouchers with funds to be received by the Supervisor.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster is in need of additional
real property for materials storage, and

WHEREAS, LaFarge North America Inc. has offered to sell certain property
located on the south side of Genesee Street at Shisler Road, Town of Lancaster (consisting of
SBL Nos. 95-1-2 and 95-1-3)(the “Property”) pursuant to the terms and conditions of a certain
Contract for Purchase of Land (the “Agreement”); and

WHEREAS, the proposed purchase price for the Property is Ninety-Five
Thousand Dollars (\$95,000.00) (the “Purchase Price”);

NOW, THEREFORE,
BE IT RESOLVED that, subject to permissive referenda, the Board hereby (a)
approves the purchase of the Property for the Purchase Price and pursuant to the terms and
conditions of the Agreement; and (b) authorizes the Supervisor to execute and deliver the
Agreement and the associated the transactional documents required by the Agreement; and (c)
authorizes the Supervisor and other appropriate Town officials to proceed with the
implementation of all steps reasonably necessary and appropriate to implement the terms and
conditions of the Agreement and to allow for the Town’s purchase of the Property.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated December 8, 2014, has requested the addition of four (4) members to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirm the additions to the membership of the Town Line Volunteer Fire Department the following individuals:

ADDITIONS:

Lynnette Grassl Alden, New York	David Passalugo Cheektowaga, New York
Brian Peiffer Alden, New York	Michelle Pham Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, J. Renkas and Sons Inc., d/b/a AJ’s Auto Parts & Salvage, 955 Ransom Road, Lancaster, New York 14086 has applied for a renewal license to conduct a salvage yard on premises situate at 955 Ransom Road within the Town of Lancaster, pursuant to Chapter 4-3 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Town Board for review, and

WHEREAS, the Building Inspector, by letter dated December 5, 2014, has notified the Town Board that he has completed his review and made a favorable recommendation thereto.

NOW, THEREFORE, BE IT

RESOLVED, that J. Renkas and Sons Inc., d/b/a AJ’s Auto Parts & Salvage, 955 Ransom Road, Lancaster, New York be and is hereby authorized to conduct a salvage yard on premises situate at 955 Ransom Road, Lancaster, New York for the period January 1, 2015 to December 31, 2015 in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, the Town Board of the Town of Lancaster approved an Intermunicipal Agreement between the Town of Clarence and the Town of Lancaster to share duties of their Town’s Assessor, Christine A. Fusco on April 2, 2012, and

WHEREAS, the Town of Lancaster desires to continue the Intermunicipal Agreement for a period of one year beginning on January 1, 2015 and ending December 31, 2015, renewing the terms and conditions of the current contract that expires on December 31, 2014.

**NOW, THEREFORE, BE IT
RESOLVED as follows:**

- 1. That Christine A. Fusco is hereby designated to act as Assessor for the Town of Lancaster for the period January 1, 2015 through and including December 31, 2015, in accordance with law and the terms of the intermunicipal agreement between the Town of Lancaster and the Town of Clarence for such period; and
- 2. That the Town Supervisor be and is hereby directed to sign an Amendment to the Agreement, as presented, between the Town of Lancaster and the Town of Clarence to share duties of their Town’s Assessor, Christine A. Fusco.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, it is necessary to make various adjustments to the 2014 budget accounts of the Town of Lancaster at the close of Town business on December 31, 2014.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and hereby is authorized and directed to make such adjustments to all over-expended accounts from available unexpended funds within the 2014 budget, including unappropriated fund balances and also including the adjustment of estimated revenues and corresponding appropriation accounts for grant funds received and/or to be received in or for 2014 upon the close of business on December 31, 2014.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster has determined that certain of the Town’s Capital Projects are deemed to be completed, and

WHEREAS, the Town Board wishes to officially close said projects and, where applicable, properly direct the disposition of the unexpended cash balances of these projects,

NOW, THEREFORE, BE IT

RESOLVED, that the Capital Projects listed below are hereby deemed complete and that their respective accounts on the Town’s books be closed except that those accounts which are necessary to properly record the liability associated with any and all outstanding debt of the projects and/or subsequent retirement of said debt shall be closed after said debt is retired, and

BE IT FURTHER

RESOLVED, that where applicable, the project cash balances listed below be transferred to the Reserve for Debt Service account of the operating fund specified below:

<u>Project Name/Description</u>	<u>Fund No.</u>	<u>Date Authorized</u>	<u>Project Balance</u>	<u>Operating Fund</u>
Recreation Equipment	150	04/19/2004	0.00	General Fund
Highway Const. Equip.	181	01/22/2013	4,598.86	Highway Fund - TOV

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to enact a proposed Local Law of the year 2015, entitled “**GARBAGE, RUBBISH AND REFUSE DEFINITIONS REVISIONS**”, which will amend the Code of the Town of Lancaster by amending Section 25-11 within **Chapter 25 “GARBAGE, RUBBISH AND REFUSE” Article III “REFUSE RECYCLING”, SECTION 11 “DEFINITIONS”** by adding “**Electronic Waste**” and “**Large Appliances**”, revising “**Hazardous Waste**”, and deleting from **Recyclable Materials**, subsection A item “**(9) Large Appliances**” of the Code of the Town of Lancaster, which reads as follows:

A LOCAL LAW OF THE YEAR 2015 ENTITLED “GARBAGE, RUBBISH AND REFUSE REVISION”, WHICH WILL AMEND THE TOWN CODE OF THE TOWN OF LANCASTER BY AMENDING SECTION 25-11 TO CHAPTER 25 “GARBAGE, RUBBISH AND REFUSE” ARTICLE III “REFUSE RECYCLING” SECTION 11 “DEFINITIONS,” TO READ AS FOLLOWS:

Chapter 25 – GARBAGE, RUBBISH AND REFUSE

Article III. Refuse Recycling

§25-11 – Definitions

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ADD: **ELECTRONIC WASTE**
Includes items such as Computers, Televisions, Cathode Ray Tubes, Small Scale Servers, Computer Peripherals (monitors, electronic keyboards, electronic mice or pointing devices, facsimile machines, document scanners and printers) and Small Electronic Equipment (VCRs, digital video recorders, portable digital music players, DVD players & projectors, digital converter boxes, cable or satellite receivers and electronic or video game consoles (both handheld and for use with a video display device).

LARGE APPLIANCES
All major appliances such as stoves, refrigerators, dishwashers, dryers, washing machines, water heaters, portable air conditioners, microwave ovens and other large and scrap metal items.

DELETE: **HAZARDOUS WASTE**
Solid waste that is especially harmful or potentially harmful to public health. This shall include, but not be limited to, explosives, toxic materials and medical waste. For purposes of this local law, “hazardous waste” does not include small quantities of such waste available on a retail basis to a homeowner (e.g., aerosol cans, pesticides, fertilizers, etc.).

HAZARDOUS WASTE

Solid waste that is especially harmful or potentially harmful to public health. A substance is considered hazardous if it ignites easily, reacts or explodes when mixed with other substances, is corrosive or toxic. This shall include, but not be limited to explosives, toxic materials, medical waste, pesticides, fertilizers, oil, antifreeze, oil based paint, solvents, rechargeable batteries, propane tanks or cylinders (full or empty) and Mercury or any Mercury containing devices.

A.

(9) LARGE APPLIANCES

WHEREAS, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law;

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. A public hearing for the proposed Local Law is hereby set for the 5th day of January, 2015 at 7:15 o'clock P.M.
2. The Town Clerk is directed to provide notice of the public hearing as required by law.
3. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted December 15, 2014, the said Town Board will hold a Public Hearing on the 5th day of January, 2015 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town of Lancaster Code, Chapter 25. Garbage, Rubbish and Refuse, Article III. Refuse Recycling, Section 11. Definitions. Copies of the proposed Local Law can be reviewed at Town Hall. At the time and place stated above, all interested members of the public shall be heard.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

By: JOHANNA M. COLEMAN
Town Clerk
December 18, 2014

Town of Lancaster
Local Law No. ____ of 2015

A Local Law Amending the Town of Lancaster Garbage, Rubbish and Refuse Code Article III. “Refuse Recycling”, Section 11 by adding “Electronic Waste” and “Large Appliances”, revising “Hazardous Waste”, and deleting from Recyclable Materials, subsection A item “(9) Large Appliances”.

Be it hereby enacted by the Town Board of the Town of Lancaster as follows:

Section 1: Section 25-11. Definitions. of the Town of Lancaster Town Code is amended as follows:

ADD:

ELECTRONIC WASTE

Includes items such as Computers, Televisions, Cathode Ray Tubes, Small Scale Servers, Computer Peripherals (monitors, electronic keyboards, electronic mice or pointing devices, facsimile machines, document scanners and printers) and Small Electronic Equipment (VCRs, digital video recorders, portable digital music players, DVD players & projectors, digital converter boxes, cable or satellite receivers and electronic or video game consoles (both handheld and for use with a video display device).

LARGE APPLIANCES

All major appliances such as stoves, refrigerators, dishwashers, dryers, washing machines, water heaters, portable air conditioners, microwave ovens and other large and scrap metal items.

DELETE:

HAZARDOUS WASTE

Solid waste that is especially harmful or potentially harmful to public health. This shall include, but not be limited to, explosives, toxic materials and medical waste. For purposes of this local law, “hazardous waste” does not include small quantities of such waste available on a retail basis to a homeowner (e.g., aerosol cans, pesticides, fertilizers, etc.).

ADD:

HAZARDOUS WASTE

Solid waste that is especially harmful or potentially harmful to public health. A substance is considered hazardous if it ignites easily, reacts or explodes when mixed with other substances, is corrosive or toxic. This shall include, but not be limited to explosives, toxic materials, medical waste, pesticides, fertilizers, oil, antifreeze, oil based paint, solvents, rechargeable batteries, propane tanks or cylinders (full or empty) and Mercury or any Mercury containing devices.

RECYCLABLE MATERIALS

A.

DELETE:

(9) LARGE APPLIANCES

Section 2: Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 3: Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to enact a proposed Local Law of the year 2015, entitled “**GARBAGE, RUBBISH AND REFUSE DUTIES OF OWNERS AND OCCUPANTS REVISIONS**”, which will amend the Code of the Town of Lancaster by adding Section 25-12 (H) within **Chapter 25 “GARBAGE, RUBBISH AND REFUSE” ARTICLE III. “REFUSE RECYCLING”, SECTION 12 “DUTIES OF OWNERS AND OCCUPANTS”** of the Code of the Town of Lancaster, which reads as follows:

A LOCAL LAW OF THE YEAR 2015 ENTITLED “GARBAGE, RUBBISH AND REFUSE REVISION”, WHICH WILL AMEND THE TOWN CODE OF THE TOWN OF LANCASTER BY ADDING SECTION 25-12(H) and (J) TO CHAPTER 25 “GARBAGE, RUBBISH AND REFUSE”, ARTICLE III. “REFUSE RECYCLING”, SECTION 12 “DUTIES OF OWNERS AND OCCUPANTS.”

Chapter 25 – GARBAGE, RUBBISH AND REFUSE

Article III. Refuse Recycling

§25-12 – Duties of owners and occupants
.....

H. Every owner/occupant of any residential, commercial and /or institutional property located within the Town’s Refuse District shall put out for collection Municipal Solid Waste (MSW) and recyclable materials no earlier than 5:00 P.M. on the day prior to collection.

J. Every owner and/or occupant of any residential property located within the Town’s Refuse District shall be responsible for storing all MSW in a leak-proof container with a close-fitting cover at all times until removed from the premises at disposal. Such container, including contents, shall not exceed sixty (60) pounds in weight.

WHEREAS, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law;

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. A public hearing for the proposed Local Law is hereby set for the 5th day of January 2015 at 7:15 o'clock P.M.
2. The Town Clerk is directed to provide notice of the public hearing as required by law.
3. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted December 1, 2014, the said Town Board will hold a Public Hearing on the 5th day of January, 2015 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town of Lancaster Garbage, Rubbish and Refuse Code to indicate a permitted time for putting Municipal Solid Waste and recyclables out for collection and specifying the type of waste container allowed within the Town. Copies of the proposed Local Law can be reviewed at Town Hall. At the time and place stated above, all interested members of the public shall be heard.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

By: JOHANNA M. COLEMAN
Town Clerk
December 18, 2014

Town of Lancaster
Local Law No. ____ of 2015

A Local Law Amending the Town of Lancaster Garbage, Rubbish and Refuse Code
Article III. “Refuse Recycling”, Section 12 to Indicate a Permitted Time to put
Municipal Solid Waste and Recyclables Out for Collection and Type of Waste
Container Allowed.

Be it hereby enacted by the Town Board of the Town of Lancaster as follows:

Section 1: Section 25-12 of the Town of Lancaster Town Code is amended to add subparagraph (H) and (J) to read in their entirety as follows:

- (H) Every owner/occupant of any residential, commercial and /or institutional property located within the Town’s Refuse District shall put out for collection Municipal Solid Waste (MSW) and recyclable materials no earlier than 5:00 P.M. on the day prior to collection.
- (J) Every owner and/or occupant of any residential property located within the Town’s Refuse District shall be responsible for storing all MSW in a leak-proof container with a close-fitting cover at all times until removed from the premises at disposal. Such container, including contents, shall not exceed sixty (60) pounds in weight

Section 2: Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 3: Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to enact a proposed Local Law of the year 2015, entitled “**GARBAGE, RUBBISH AND REFUSE PROHIBITED ACTS REVISION**”, which will amend the Code of the Town of Lancaster by amending Section 25-15(B) and adding Section 25-15(E) within **Chapter 25 “GARBAGE, RUBBISH AND REFUSE” ARTICLE III. “REFUSE RECYCLING”, SECTION 15 “PROHIBITED ACTS; PENALTIES FOR OFFENSES.”** of the Code of the Town of Lancaster, which reads as follows:

A LOCAL LAW OF THE YEAR 2015 ENTITLED “GARBAGE, RUBBISH AND REFUSE REVISION”, WHICH WILL AMEND THE TOWN CODE OF THE TOWN OF LANCASTER BY AMENDING SECTION 25-15(B) AND ADDING SECTION 25-15(E) TO CHAPTER 25 “GARBAGE, RUBBISH AND REFUSE”, ARTICLE III. “REFUSE RECYCLING”, SECTION 15 “PROHIBITED ACTS; PENALTIES FOR OFFENSES.”

Chapter 25 – GARBAGE, RUBBISH AND REFUSE

Article III. Refuse Recycling

§25-15 – Prohibited acts; penalties for offenses
.....

- OLD:** B. Any owner and/or occupant to fail to comply with any provision contained in §25-12, Subsections A through H, inclusive.
- NEW:** **B. Any owner and/or occupant to fail to comply with any provision contained in §25-12, inclusive.**
- ADD:** **E. The following items are prohibited from being put out for collection as Municipal Solid Waste (MSW) and/or recyclable materials:**

(1) Electronic Waste

(2) Hazardous Waste

WHEREAS, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the proposed Local Law;

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. A public hearing for the proposed Local Law is hereby set for the 5th day of January 2015 at 7:15 o'clock P.M.
2. The Town Clerk is directed to provide notice of the public hearing as required by law.
3. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted December 15, 2014, the said Town Board will hold a Public Hearing on the 5th day of January, 2015 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly adopting a Local Law to amend the Town of Lancaster Garbage, Rubbish and Refuse Code to amend Section 15 "Prohibited acts; penalties for offenses", by editing subsection (B) and listing Electronic and Hazardous Waste as items prohibited from being set out for collection and/or recycling. Copies of the proposed Local Law can be reviewed at Town Hall. At the time and place stated above, all interested members of the public shall be heard.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

By: JOHANNA M. COLEMAN
Town Clerk
December 18, 2014

**Town of Lancaster
Local Law No. ____ of 2015**

A Local Law Amending the Town Code of the Town of Lancaster by Amending Section 25-15(B) And Adding Section 25-15(E) To Chapter 25 “Garbage, Rubbish And Refuse”, Article III. “Refuse Recycling”, Section 15 “Prohibited Acts; Penalties For Offenses.”

Be it hereby enacted by the Town Board of the Town of Lancaster as follows:

Section 1: Section 25-15 of the Town of Lancaster Town Code is amended by amending Section 25-15(B) and adding Section 25-15(E) read in their entirety as follows:

B. Any owner and/or occupant to fail to comply with any provision contained in §25-12, inclusive.

E. The following items are prohibited from being put out for collection as Municipal Solid Waste (MSW) and/or recyclable materials:

(3) Electronic Waste

(4) Hazardous Waste

Section 2: Severability. Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 3: Effective Date. This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, Wm. Schutt and Associates Engineering and Land Surveying, P.C., by letter dated October 28, 2014 has requested an extension of their Agreement for Professional Services for Municipal Engineering with the Town of Lancaster, and

WHEREAS, the Town Board has reviewed the proposed extension and deems it to be in the public’s interest to enter into a two (2) year extension of the agreement as outlined in the October 28, 2014 letter stating that there will be no increase in fees listed in Appendix 1 with Wm. Schutt and Associates Engineering and Land Surveying, P.C. to commence on January 1, 2015 and ending December 31, 2016 with the terms and conditions as set out in the proposed extension agreement.

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to enter into an extension of the Agreement stating there will be no increase in fees for Professional Services for Municipal Engineering as listed on Appendix 1 with Wm. Schutt and Associates Engineering and Land Surveying, P.C., 37 Central Avenue, Lancaster, New York 14086 based upon the terms and conditions which are set forth in the proposed extension agreement as submitted to the Town of Lancaster on October 29, 2014; said extension is to be for a period of two (2) years commencing January 1, 2015 and ending December 31, 2016.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

A RESOLUTION, DATED DECEMBER 15, 2014, ADOPTED BY THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN"), AMENDING AND RESTATING A BOND RESOLUTION ADOPTED ON APRIL 15, 2013 THAT AUTHORIZED THE CONSTRUCTION OF A TOWN STORAGE BUILDING IN ORDER TO INCREASE THE ESTIMATED MAXIMUM COST, THE AMOUNT OF BONDS AUTHORIZED AND TO MAKE OTHER DETERMINATIONS IN CONNECTION WITH SUCH PROJECT.

WHEREAS, on April 15, 2013, the Town Board of the Town of Lancaster, Erie County, New York (the "Town") adopted a bond resolution (the "Original Bond Resolution") entitled:

A BOND RESOLUTION, DATED APRIL 15, 2013, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE "TOWN") AUTHORIZING THE CONSTRUCTION OF A TOWN STORAGE BUILDING, AT AN ESTIMATED MAXIMUM COST OF \$865,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$865,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR

and

WHEREAS, the Town has previously issued bond anticipation notes pursuant to the Original Bond Resolution, but has not yet entered into permanent financing arrangements (i.e., the issuance of long-term serial bonds); and

WHEREAS, the bids received were higher than anticipated due to an increase in the cost of materials, labor and equipment; and

WHEREAS, the Town Board now wishes to modify the Original Bond Resolution for purposes of increasing: (a) the estimated maximum cost of the project from \$865,000 to \$1,330,000 and (b) the amount of serial bonds authorized to be issued from \$865,000 to \$1,330,000; and

WHEREAS, the Town Board now wishes to amend and restate (in its entirety) the Original Bond Resolution for the purposes identified above, and to make other modifications in the Original Bond Resolution as may be consistent with law;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER AS FOLLOWS:

Section 1: That the Original Bond Resolution be, and it hereby is, amended and restated to read in its entirety as set forth in the attached Exhibit A.

Section 2. Except as set forth herein, the Original Bond Resolution has not been modified or amended since its adoption. The Original Bond Resolution remains in full force and effect and is hereby ratified and approved as amended and restated hereby.

Section 3. This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

Section 4. If no petitions are filed in the referendum period, the Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014

Exhibit A

(Amended and Restated Bond Resolution)

AN AMENDING AND RESTATING BOND RESOLUTION, DATED DECEMBER 15, 2014, OF THE TOWN BOARD OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK (THE “TOWN”), AMENDING THE BOND RESOLUTION ADOPTED APRIL 15, 2013, AND THEREBY AUTHORIZING THE CONSTRUCTION OF A TOWN STORAGE BUILDING, AT AN ESTIMATED MAXIMUM COST OF \$1,330,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,330,000 OF THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, on April 15, 2013 the Town Board of the Town of Lancaster, Erie County, New York adopted a bond resolution (the “Original Bond Resolution”) authorizing the construction of a Town storage building located at 525 Pavement Road (the “Original Project”), at an estimated maximum amount of \$865,000; and

WHEREAS, the bids received were higher than anticipated due to an increase in the cost of materials, labor and equipment; and

WHEREAS, the Town Board now wishes to modify the Original Bond Resolution for purposes of increasing: (a) the estimated maximum cost of the project from \$865,000 to \$1,330,000 and (b) the amount of serial bonds authorized to be issued from \$865,000 to \$1,330,000; and

WHEREAS, the Town Board now wishes to amend and restate (in its entirety) the Original Bond Resolution for the purposes identified above, and to make other modifications in the Original Bond Resolution as may be consistent with law;

NOW THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Lancaster, in the County of Erie, New York (the “Town”) (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake the construction of a Town storage building located at 525 Pavement Road, Lancaster, New York, including all preliminary work and necessary equipment, materials and related site work and all preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “Purpose”). The estimated maximum cost of the Purpose is \$1,330,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate amount not to exceed \$1,330,000 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 3. It is hereby determined that the Purpose is an object or purpose described in subdivision 11(b) of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is 25 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of such bonds, and the renewals of such notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Town then reasonably expects to reimburse any such expenditures (to the extent made after April 15, 2013 (or within 60 days prior thereto) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute a reaffirmation of the Town's original declaration (dated April 15, 2013) of its "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Town has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

SECTION 12. In the absence or unavailability of the Town Supervisor, the Deputy Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 13. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) if the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within twenty 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 14. This resolution is subject to permissive referendum pursuant to Section 35.00 of the Local Finance Law. The Town Clerk is hereby authorized and directed to publish (one time) and post on the sign-board of the Town, this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 15. If no petitions are filed in the referendum period, the Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town, or if no newspaper(s) have been so designated, then in a newspaper having general circulation in the Town, which newspaper shall be designated by the Town Board in a separate resolution.

SECTION 16. Nothing in this amendment shall affect the validity of the original April 15, 2013 bond resolution, or any actions taken thereunder, and any such actions are hereby ratified.

LEGAL NOTICE

TOWN OF LANCASTER

NOTICE OF ADOPTION, SUBJECT TO PERMISSIVE REFERENDUM, OF A RESOLUTION, DATED DECEMBER 15, 2014, AMENDING AND RESTATING A BOND RESOLUTION OF THE TOWN OF LANCASTER, ERIE COUNTY, NEW YORK FOR THE CONSTRUCTION OF A TOWN STORAGE BUILDING

Notice is hereby given that at its December 15, 2014 meeting, the Town Board of the Town of Lancaster adopted a resolution that amends and restates a previously adopted bond resolution (dated April 15, 2013) for the construction of a Town storage building located at 525 Pavement Road, Lancaster, New York, including all preliminary work and necessary equipment, materials and related site work and all preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Project"). Due to higher than anticipated costs of materials and labor, the Town is modifying the original bond resolution to: (a) increase the estimated maximum cost of the Project from \$865,000 to \$1,330,000 and (b) increase the amount of serial bonds authorized to be issued from \$865,000 to \$1,330,000. Such amount of bonds will be offset by any federal, state, county and/or local funds received. Such amending and restating resolution is subject to permissive referendum pursuant to New York law.

December 15, 2014

BY ORDER OF THE TOWN BOARD OF
TOWN OF LANCASTER, ERIE COUNTY,
NEW YORK

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, upon reviewing the budgetary accounts of the Town of
Lancaster, the Supervisor has determined the need for various adjustments to the 2014
Adopted Budget of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED that the following Budget Amendments be and are hereby
approved in the 2014 adopted budget of the Town of Lancaster:

General Fund - Townwide	<u>Increase</u>
01-599 Appropriated Fund Balance	245,000
01-960 Budget Appropriations	245,000
01-1420-410 Law, Professional Services	50,000
01-1440-411 Engineer, Professional Services, Non-Retainer	20,000
01-1620-455 Buildings, Utilities - Electricity	60,000
01-1680-410 Central Data Processing, Professional Services	30,000
01-1910-411 Special Items, Unallocated Insurance	32,000
01-1930-411 Special Items, Judgments and Claims	53,000
 General Fund - Town Outside Villages	
02-599 Appropriated Fund Balance	66,000
02-960 Budget Appropriations	66,000
02-3670-210 OEM – Office Furniture & Equipment	14,000
02-3670-240 OEM – Radios & Related Equipment	7,000
02-3670-410 OEM – Professional Services	15,000
02-8160-101 Brush & Weed Pickup – Personal Services	30,000
 Police Fund	
05-510 Estimated Revenues	57,000
05-3389 State Aid, Other Public Safety	37,000
05-4389 Federal Aid, Other Public Safety	20,000
05-599 Appropriated Fund Balance	103,325
05-960 Budget Appropriations	160,325
05-3120-102 Police Department – Overtime, Patrol	85,000
05-3120-120 Police Department – Overtime, Dispatch	10,000
05-3120-128 Police – Grants Funded Overtime	40,000
05-3120-220 Police Department – Passenger Vehicles	15,000
05-9030-803 FICA/Medicare Tax	10,325
 Highway Fund - Town Outside Villages	
13-599 Appropriated Fund Balance	585,000
13-960 Budget Appropriations	585,000
13-5142-102 Snow Removal – Wages, Overtime	75,000
13-5142-411 Snow Removal – Snow Removal by Outside Contractors	460,000
13-5142-435 Snow Removal – Chemicals	50,000
 Refuse District Fund	
35-510 Estimated Revenues	13,000
35-2130 Refuse Charges	13,000
35-960 Budget Appropriations	13,000
35-8160-411 Refuse Collection Contract	13,000

Miscellaneous Special Revenue – Tree Planting Fee Fund	
33-599 Appropriated Fund Balance	30,000
33-960 Budget Appropriations	30,000
33-8000-400 Home & Community Services, Contractual Expenses	30,000

Miscellaneous Special Revenue – Recreation Filing Fee Fund	
37-599 Appropriated Fund Balance	383,000
37-510 Estimated Revenues	215,000
37-2770 Recreation Filing Fee	215,000
37-960 Budget Appropriations	598,000
37-7000-400 Culture & Recreation, Contractual Expenses	550,000
37-9901-902 Interfund Transfers, Transfer Out (Skatepark Project)	48,000

The question of the adoption of the foregoing resolution was duly put to a vote
 on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
COUNCIL MEMBER RUFFINO	VOTED
SUPERVISOR FUDOLI	VOTED

December 15, 2014